



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,914	11/09/2001	Luc E. Julia	ORBN.P101	1477

30554 7590 06/12/2007
SHEMWELL MAHAMEDI LLP
4880 STEVENS CREEK BOULEVARD
SUITE 201
SAN JOSE, CA 95129

EXAMINER

HOSSAIN, FARZANA E

ART UNIT	PAPER NUMBER
----------	--------------

2623

MAIL DATE	DELIVERY MODE
-----------	---------------

06/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/006,914

Applicant(s)

JULIA ET AL.

Examiner

Farzana E. Hossain

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-12,15-18,21-35 and 37-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3,5-12,15-18,21-35 and 37-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/19/2007 has been entered.

Response to Amendment

2. This action is in response to communications filed 03/19/2007. Claims 1, 3, 5, 7, 8, 12, 15, 21, 22, 33-35, 37, 38 and 40 are amended. Claims 3, 6, 9-12, 16, 17, 23-32 and 39 are previously presented. Claims 4, 13, 14, 19, 20 and 36 are cancelled. Claim 18 is original. Claim 41 is new.

Response to Arguments

3. Applicant's arguments with respect to claims 1-3, 5, 6, 8-12, 38-41 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2623

4. Applicant's arguments filed 03/19/2007 have been fully considered but they are not persuasive.

The applicant argues Claim 7 has been amended to recite wherein the receiver is configured to communicate at least a portion of the television transmission to the palmtop computer using the network and that Ellis does not teach the combination of palmtop computer communicating a command over a network and receiving a portion of the television transmission over the network (Page 10)

In response to the arguments, Ellis discloses the palmtop communicating a command (Page 13, paragraph 0138, Pages 11-12, paragraphs 0127) and receiving at least a portion of the television transmission over the network (Page 12, paragraph 0134, 0135).

5. Applicant's arguments filed 03/19/2007 have been fully considered but they are not persuasive.

Regarding Claim 30 and 32, the application argues that Harrison does not teach receiving, from over a network as Harrison teaches uses of a handheld computer in the context of point to point communications and that this teaches away from the use of a network (Page 11).

In response to the arguments, the examiner respectfully disagrees. Harrison discloses a wireless medium or point-to-point communications or a network (Pages 6-7, paragraphs 0067, 0069). The Authoritative Dictionary of IEEE standards Terms (7th edition) defines network as a series of points

Art Unit: 2623

interconnected by communication channels. Harrison does not teach away from the invention. If the applicant would like the definition of a network to be more defined such as Internet, etc, then the limitations need to be more narrowly disclosed.

The Applicant did not refer to independent claim 34 in an argument, however, as the rejection is the same as claims 30 and 32, the arguments and response to the arguments would be similar.

Claim Objections

6. The following claims are objected to because of the following informalities:
 - a. Claim 1 recites "is operable is operable." The examiner suggests -
-is operable--.
 - b. Claim 1 recites, "wireless." The examiner suggests -- wirelessly--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Art Unit: 2623

8. Claims 8-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The claim language includes new matter including the following:

"detecting, from the network, input corresponding to the user interacting with the interactive content on the palm top computer and processing the input to affect the display device while the display device displays the content."

The specification discloses enhanced content, which is manipulated at the palmtop (Page 9, lines 26-37, Page 10, lines 1-16). There is no disclosure of detection and processing of an input at the palmtop by interactive content to effect the display device.

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 5 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 depends from cancelled Claim 4. The examiner assumes Claim 5 depends from Claim 1.

Claim 6 depends from cancelled Claim 4. The examiner assumes Claim 6 depends from Claim 1.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1, 2, 3, 5-12, 15-18, 21-24, 27-29, 38-41 are rejected under 35

U.S.C. 102(e) as being anticipated by Ellis et al (US 2005/0028208 and hereafter referred to as "Ellis").

Regarding Claim 1, Ellis discloses a method for interacting with connected satellite devices or devices associated with user television equipment (Figure 2a, 22, Figure 3, Figure 4), the method comprising:

enabling a user to operate a palmtop computer to interface and interact with any one of a plurality of connected satellite devices using a network (Figure 2a, 19, Page 7, paragraphs 0092, 0094), wherein the palmtop computer is operable by the user to wirelessly transmit a command onto the network (Figure 2a, 19, Page 5, paragraph 0077, Page 7, paragraph 0093), the palmtop computer inherently including an operating system for enabling use of the palmtop computer independent of the device as the palmtop computer uses as

Art Unit: 2623

the operating system makes the computer functional to perform all necessary functions (Page 7, paragraph 0092, Figure 2a),

receiving, from the palmtop computer and over the network, a signal that corresponds to the command (Page 5, paragraph 0074, Page 13, paragraph 0138, Page 6, paragraph 0083, Page 7, paragraph 0093);

changing at least a state of a selected satellite device of the plurality of connected satellite devices based on the command (Page 13, paragraph 0138, Figure 2a, 19, Page 2, paragraph 0017), wherein the selected satellite device is identified by the command (Page 7, paragraph 0091, Page 2, paragraph 0017, Figure 3);

wherein the network includes one or more of the Internet or a wide area network that is not the Internet (Page 7, paragraph 0094).

Regarding Claim 7, Ellis discloses a system for interacting with a display device (Figure 2a, 24, 22), the system comprising:

a palmtop computer (Figure 5, paragraph 0059) connected to a network (Figure 2a, 19, Page 7, paragraph 0094), wherein the palmtop computer includes a graphic user interface (Page 7, paragraph 0092), and palmtop computer inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions (Page 7, paragraph 0092, Figure 2a).

Ellis discloses the palmtop computer being operable to receive an input corresponding to a command (Page 5, paragraph 0074, Page 13, paragraph

Art Unit: 2623

0138, Page 6, paragraph 0083, Page 7, paragraph 0093), wherein the palmtop computer is configured to transmit a signal corresponding to the command over the network (Page 13, paragraph 0138, Figure 2a, 19);

a display device connected to the network (Figure 2a, 22, 19, Figure 3, 36), wherein the display device displays multimedia content (Page 6, paragraph 0080), and

a receiver provided with the display device (Figure 2a, 22, Figure 3, 28), wherein the receiver is configured to receive a television transmission from one of a broadcast or digital cable connection (Page 4, paragraph 0068), and wherein the receiver is interconnected to the palmtop computer through the network (Figure 2a, 19), to receive the signal transmitted by the palmtop computer (Page 13, paragraph 0138, Figure 2a, 19); wherein the receiver is configured to receive the signal from the palmtop computer and to transmit the signal to the display device to change a state of the display device (Page 13, paragraph 0138, Figure 2a, 19) and

wherein the receiver is configured to communicate at least a portion of the television transmission to the palmtop computer using the network including program guide data and programming (Page 4, paragraph 0069, Figure 2a, Page 12, paragraph 0135).

Regarding Claim 8, Ellis discloses a method for interacting with a display device, the method comprising:

receiving a TV signal (Page 4, paragraph 0069);

Art Unit: 2623

displaying content from the TV signal on the display device (Page 6, paragraph 0080);

while the display device displays the TV signal, transmitting an interactive content from the television signal to a palmtop computer using a network or while the programming is being displayed on the interactive television equipment, interactive program guide may send desired interactive status information with the ability to change settings for a program (Pages 12-13, paragraphs 0134-0138);

displaying the interactive content on the palmtop computer (Figure 11), the palmtop computer including a graphic user interface (Page 7, paragraph 0092), and palmtop computer inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions (Page 7, paragraph 0092, Figure 2a).

and wherein the interactive content corresponds to the content displayed on the display device (Figure 11, Page 13, paragraphs 0137, 0138, Figure 2a); and

detecting, from the network, input corresponding to the user interacting with the interactive content on the palm top computer (Figure 11, Page 13, paragraphs 0137, 0138, Figure 2a, 19), and

processing the input to affect the display device while the display device displays the content (Page 13, paragraph 0138).

Art Unit: 2623

Regarding Claim 15, Ellis discloses a method for interacting with a TV system, the method comprising:

receiving an interactive TV signal for use in a TV system, wherein the interactive TV signal includes an interactive component (Page 4, paragraph 0069, Figure 2a, Page 5, paragraph 0071); and

transmitting at least a portion of the interactive component to a palmtop computer using a network (Figure 2a, 19, 22, 24); and

receiving, from over the network, an input from the palmtop computer correspond to the user interacting with the interactive component (Pages 11-12, paragraphs 0127, 0134, 0135, Page 13, paragraph 0138), wherein the palmtop computer includes a graphic user interface (Page 7, paragraph 0092), and palmtop computer inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions (Page 7, paragraph 0092, Figure 2a).

Regarding Claim 38, Ellis discloses a system for providing television content, the system comprising: a palmtop computer including a graphic user interface (Page 7, paragraph 0092), and palmtop computer inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions (Page 7, paragraph 0092, Figure 2a); the palmtop computer being wirelessly coupled to a network (Figure 2a, 19, Page 5, paragraph 0077); and

a receiving system coupled to the network, wherein the receiver receives a TV signal from a provider and communicates at least a portion of the TV signal to the palmtop computer using the network including program guide data and programming (Page 4, paragraph 0069, Figure 2a, Page 12, paragraph 0135).

Regarding Claim 2, Ellis discloses all the limitations of Claim 1. Ellis discloses the selected satellite device is a device selected from a group consistent of a TV, a video playback device and a video recorder (Figure 3, Figure 4, Page 7, paragraph 0091).

Regarding Claim 3, Ellis discloses all the limitations of Claim 1. Ellis discloses the palmtop computer has a graphical interface (Page 7, paragraph 0092).

Regarding Claim 5, Ellis discloses all the limitations of Claim 1. Ellis discloses that the connected satellite device is a TV and changing at least a state of the device includes changing a channel of the television and controlling the TV in any other suitable manner (Page 13, paragraph 0138).

Regarding Claim 6, Ellis discloses all the limitations of Claim 1. Ellis discloses the palmtop computer has a graphical interface (Page 7, paragraph 0092) and a component for establishing a wireless link (Page 7, paragraphs 0093, 0094, Page 5, paragraph 0077).

Regarding Claim 9, Ellis discloses all the limitations of Claim 8. Ellis discloses the interactive content received at the palmtop computer is response to

Art Unit: 2623

the TV signal received for display on the device (Page 2, paragraph 0032, Page 4, paragraph 0045, Page 13, paragraphs 0137, 0138).

Regarding Claim 10, Ellis discloses all the limitations of Claim 8. Ellis discloses displaying the interactive content simultaneous with displaying content from the TV signal (Page 13, paragraph 0137).

Regarding Claim 11, Ellis discloses all the limitations of Claim 8. Ellis discloses the display device is a TV (Figure 3, 36).

Regarding Claims 12 and 18, Ellis discloses all the limitations of Claims 8 and 15 respectively. Ellis discloses receiving the interactive content on the palmtop computer includes receiving the interactive content from a network (Figure 2a, 19).

Regarding Claim 16, Ellis discloses all the limitations of Claim 15. Ellis discloses the TV system includes a TV combined with a separate or integrated set top box (STB) (Figure 3, 28, Page 6, paragraph 0082, Page 7, paragraph 0088).

Regarding Claim 17, Ellis discloses all the limitations of Claim 15. Ellis discloses displaying the portion of the interactive component on the palmtop computer (Figure 7, Figure 8, Figure 2a, Page 5, paragraph 0071).

Regarding Claim 21, Ellis discloses all the limitations of Claim 1. Ellis discloses changing at least a state of the device includes controlling a function of the device such as changing the channel or the volume or recording a program (Page 13, paragraph 0138, Pages 11-12, paragraphs 0127, 0134, 0135).

Regarding Claim 22, Ellis discloses all the limitations of Claim 1. Ellis discloses that the connected satellite device is a multimedia playback device or VCR and changing at least a state of the device includes causing the playback device to record a particular content (Page 5, paragraph 0071, Pages 11-12, paragraphs 0127, 0134, 0135).

Regarding Claim 23, Ellis discloses all the limitations of Claim 7. Ellis discloses that the receiver is provided by a set top box (Figure 3, 28).

Regarding Claim 24, Ellis discloses all the limitations of Claim 7. Ellis discloses that the receiver is provided with a display device or a personal computer television (Page 7, paragraph 0088).

Regarding Claim 27, Ellis discloses all the limitations of Claim 17. Ellis discloses the interactive component includes a program listing (Figure 7, Figure 8).

Regarding Claim 28, Ellis discloses all the limitations of Claim 27. Ellis discloses that the program listing is from an Internet site such as Internet web links (Page 4, paragraph 0067).

Regarding Claim 29, Ellis discloses all the limitations of Claim 27. Ellis discloses the interactive component corresponds to an electronic program guide (EPG) (Figure 2a, Figure 2c, Figure 7, Figure 8).

Regarding Claim 39, Ellis discloses all the limitations of Claim 38. Ellis discloses a display device displaying content from the TV signal (Figure 3, 36, Figure 4).

Art Unit: 2623

Regarding Claim 40, Ellis discloses all the limitations of Claim 38. Ellis discloses that the palmtop computer is operable to enable a user to communicate a command for the display device or the receiver system (Page 13, paragraph 0138).

Regarding Claim 41, Ellis discloses all the limitations of Claim 1. Ellis discloses receiving from the palmtop computer and over the network includes receiving from over the network includes receiving over the Internet (Page 7, paragraph 0094).

13. Claims 30-35, 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Harrison et al (US 2004/0045039 and hereafter referred to as "Harrison").

Regarding Claims 30, 32 and 34, Harrison discloses a method for interacting with a display device (Figure 9a, 42), method for interacting with a television system (Figure 9a, 34), and a system for providing TV content, the methods and systems comprising: a receiver receiving an interactive multimedia or TV signal (Figure 9a, 36, Figure 9c, 36, Page 2, paragraph 0031, Pages 6-7, paragraphs 0067, 0069), displaying content from the multimedia signal or TV signal on the display device wherein the content corresponds to the program (Page 2, paragraph 0032, Pages 6-7, paragraphs 0067, 0069), receiving, from a network or wireless medium, input corresponding to user manipulating a palmtop computer that is in communication with the at least one of display device or the network or wireless medium to interact with events that occur as part of the program (Page 4, paragraph 0051, Page 5, paragraph 005, Page 6, paragraphs

Art Unit: 2623

0062 –0065, Page 7, paragraph 0071). Harrison discloses that the palmtop computer includes a graphic user interface (Figure 7, 208) and the hand held device inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions of displaying associated data and allowing interaction by the user (Figure 7, Page 7, paragraph 0071). Harrison discloses receiving and processing an input from the palmtop computer corresponding to the user interacting with the interactive component (Page 6, paragraph 0062, Page 7, paragraph 0071, Figure 7, 204). Harrison discloses communicating at least a portion of the television signal to the palmtop (Pages 6-7, paragraphs 0067, 0069). Harrison discloses receiving on the network and receiving on the palmtop computer, the portion of the interactive multimedia signal using a wireless communication component that couples the palmtop computer to the network (Page 4, paragraph 0051, Page 5, paragraph 005, Page 6, paragraphs 0062 – 0065, Page 7, paragraph 0071).

Regarding Claims 31 and 33, Harrison discloses all the limitations of Claim 30 and 32 respectively. Harrison discloses receiving an interactive signal is an interactive television signal that is communicated through a broadcast, digital cable connection or the Internet (Page 2, paragraph 0033).

Regarding Claim 35, Harrison discloses all the limitations of Claim 34. Harrison discloses communicating at least a portion of the interactive multimedia signal to a palmtop computer is performed while displaying content from the

Art Unit: 2623

interactive multimedia signal on a display device (Figure 9a, Figure 9c, Page 3, paragraphs 0036-0037).

Regarding Claim 37, Harrison discloses all the limitations of Claim 34. Harrison disclose that communicating at least a portion of the interactive multimedia signal to a palmtop computer includes wirelessly transmitting the portion of the interactive multimedia signal to the palmtop computer (Figure 9a, 102, Figure 9c, 102).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Harrison.

Regarding Claim 25, Ellis discloses all the limitations of Claim 8. Ellis discloses interactive content (Figure 11) and also interactive applications such as browsing Internet, chatting and shopping (Page 17, paragraphs 0176-0180). Ellis is silent on receiving a TV signal includes receiving an interactive TV signal and wherein displaying interactive content includes displaying the interactive content from the TV signal.

In analogous art, Harrison discloses a method for interacting with a display device (Figure 9a, 42), method for interacting with a television system (Figure 9a, 34), and a system for providing TV content, the methods and systems comprising: a receiver receiving an interactive multimedia or TV signal (Figure 9a, 36, Figure 9c, 36, Page 2, paragraph 0031, Pages 6-7, paragraphs 0067, 0069), displaying content from the multimedia signal or TV signal on the display device wherein the content corresponds to the program (Page 2, paragraph 0032, Pages 6-7, paragraphs 0067, 0069), receiving, from a wireless medium, input corresponding to user manipulating a palmtop computer that is in communication with the at least one of display device or the wireless medium to interact with events that occur as part of the program (Page 4, paragraph 0051, Page 5, paragraph 005, Page 6, paragraphs 0062 –0065, Page 7, paragraph 0071). Harrison discloses that the palmtop computer includes a graphic user interface (Figure 7, 208) and the hand held device inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions of displaying associated data and allowing interaction by the user (Figure 7, Page 7, paragraph 0071). Harrison discloses receiving and processing an input from the palmtop computer corresponding to the user interacting with the interactive component (Page 6, paragraph 0062, Page 7, paragraph 0071, Figure 7, 204). Harrison discloses communicating at least a portion of the television signal to the palmtop using wireless medium (Pages 6-7, paragraphs 0067, 0069). Harrison discloses that receiving a TV signal includes receiving an interactive TV signal

Art Unit: 2623

and wherein displaying interactive content includes displaying the interactive content from the TV signal (Pages 6-7, paragraphs 0067, 0069, Figure 7, 208). Therefore, it would have been obvious at the time the invention was made to modify Ellis to include receiving a TV signal includes receiving an interactive TV signal and wherein displaying interactive content includes displaying the interactive content from the TV signal (Pages 6-7, paragraphs 0067, 0069, Figure 7, 208) as taught by Harrison in order to enhance the utility of the primary data stream (Page 1, paragraph 0003)

Regarding Claim 26, Ellis and Harrison disclose all the limitations of Claim 25. Harrison discloses that receiving the interactive content from a network includes receiving the interactive content from the Internet or World Wide Web pages (Page 4, paragraph 0045). Ellis discloses that receiving the interactive content from a network includes receiving the interactive content from the Internet (Page 7, paragraph 0094).

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331.

Art Unit: 2623

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FEH
May 31, 2007


SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER